

Early Case Assessment:
Employment Litigation

Fig. 1A
Prior Art

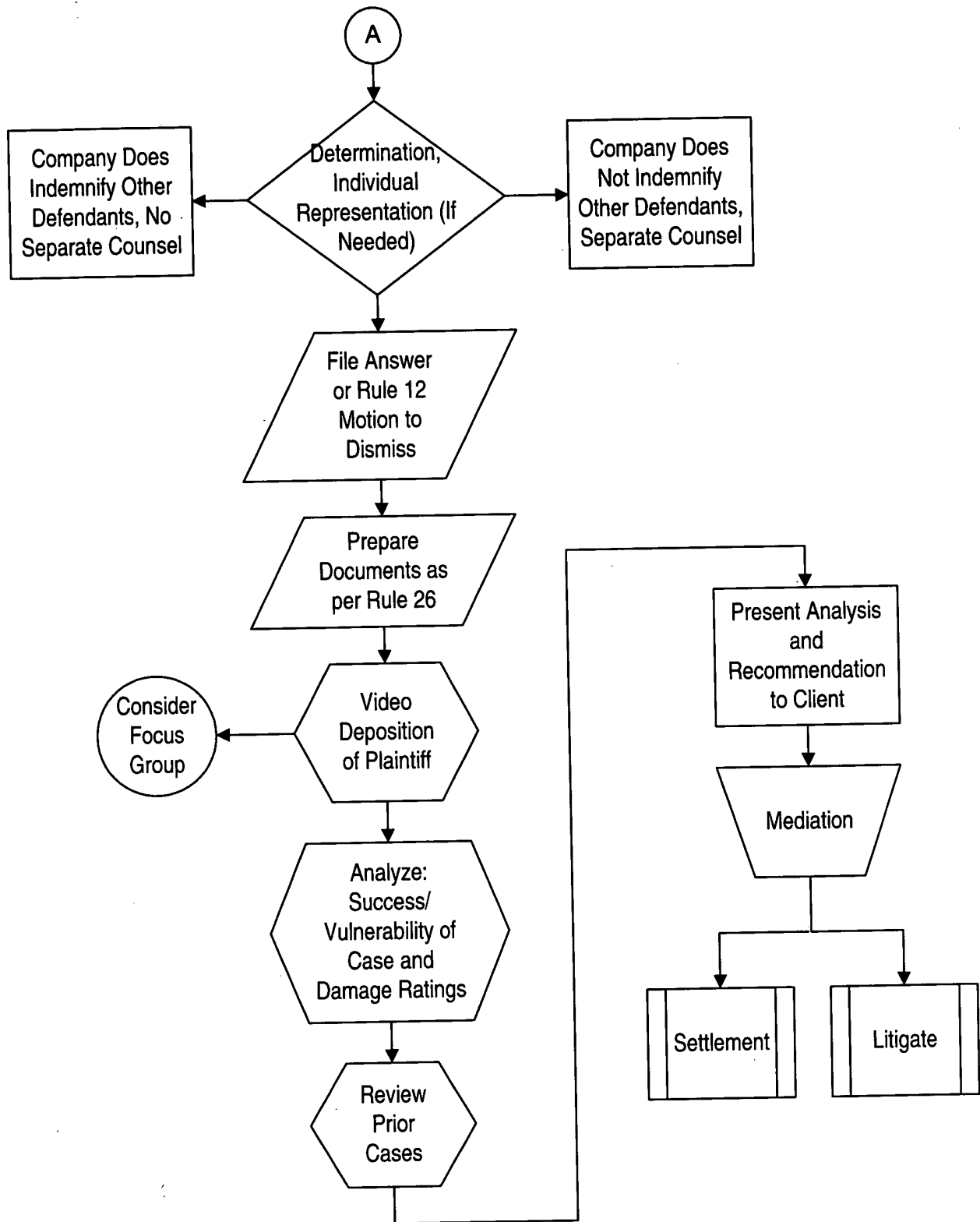


Fig. 1B
Prior Art

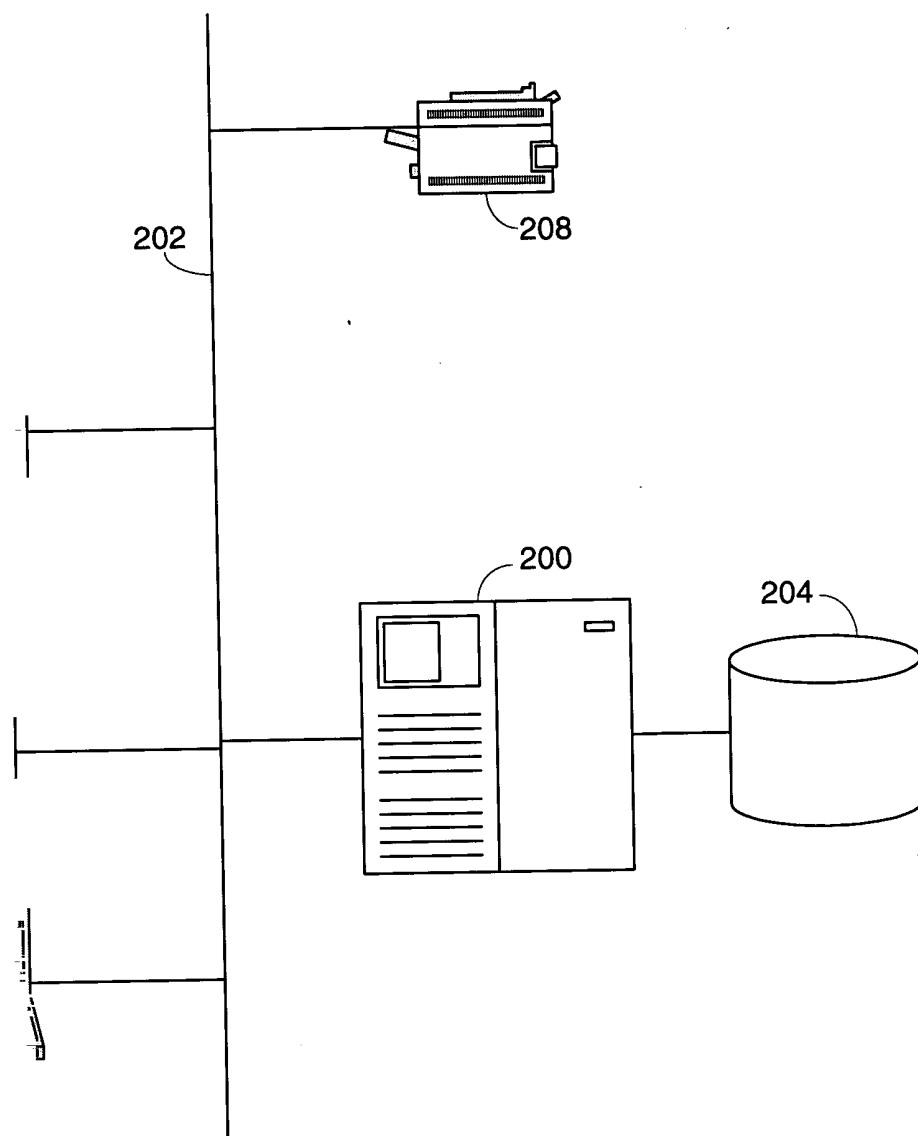


Fig. 2

TACTIX™

Attorney Client Communication / Attorney Work Product

Cases Administration About Tactix

☐ Show Historical

302

Name	Venue	Type	Open Date	Client
Brenda Rome v. Silicon Union, Corp.	N.D. California	Race / Failure to Hire	07/11/2003	Silicon Union, Corp.
Dana Webster v. Silicon Union, Corp.	M.D. Florida	Age / Termination	09/16/2002	Silicon Union, Corp.
Leonard Ball v. Wong, Cabello	E.D. Massachusetts	Race / Termination	09/17/2002	General Electric
Mitchel Burns v. Silicon Union, Corp.	S.D. New York	Race / Demotion	01/27/2003	Silicon Union, Corp.
Odessa Cotton v. Silicon Union, Corp.	S.D. Mississippi	Sex / Failure to Promote	11/18/2002	Silicon Union, Corp.
Patricia Norman v. Silicon Union, Corp.	C.D. California	Age / Demotion	12/09/2002	Silicon Union, Corp.
Terry Vasquez v. Silicon Union, Corp.	N.D. Georgia	National Origin / Termination	02/10/2003	Silicon Union, Corp.
Test Case			06/20/2002	General Electric
Test Case 2	Venue	Racial Termination	06/20/2002	General Electric
Tia Carrillo v. Wong, Cabello	E.D. Massachusetts	Race / Termination	06/20/2002	General Electric
Victoria Ennis v. Wong, Cabello	E.D. Virginia	Sex / Failure to Promote	06/20/2002	General Electric
William Windham v. Silicon Union, Corp.	N.D. California	Race / Termination	04/01/2003	Silicon Union, Corp.

302

Show Primary Contacts

Search:

Open

Vinnite 1.1.0.8

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Fig. 3

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Silicon Union, Corp.

Overview | Tasks | Proof Points | Damages | Players | Documents | Discovery Questions

Overview

Case Name: William Windham v. Silicon Union, Corp.
Client Company: Silicon Union, Corp.
Case Type: Race / Termination
Date Opened: 04/01/2003
Date Closed: (empty) click to edit...
Risk: 2 - Med

Primary Contacts:
 Cole, Edith In-House
 Ricci, Howard Partner

Percentage Complete 35%
 Reliability 20%
 Recommendation
 Go to Trial 306
 310

Case Summary: Test

Jury Theme: Plaintiff lied on his job application.

Critical Dates:

07/01/2003 Discovery request filing deadline
 08/11/2003 Request for discovery documents due.
 09/09/2003 Prepare for research with MC's
 10/20/2003 Request for production

Task List:

Task	Status	Assigned to
Review Complaint	In Progress	Associate Partner
Venue / Business Analysis	In Progress	Associate Partner
FOIA Request Task	In Progress	Associate Partner
Other Agency Document	On Hold	Associate Partner
Locus	On Hold	Associate Partner
Court admission	Not Started	Associate Partner
Analyze Local Rules	Not Started	Associate Partner
Legal Research	Not Started	Associate Partner
Evaluate Early Discovery	Not Started	Associate Partner
Jury Venire	Not Started	Associate Partner
Removal Analysis	Not Started	Associate Partner
Responsive Pleading	Not Started	Associate Partner
Transfer Analysis	Not Started	Associate Partner
Early Case Assessment	Not Started	Associate Partner

Admin...

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

304

Fig. 4

TACTIX™

Attorney Client Communication / Attorney Work Product

Calendar

Discovery Generator

Close

William Windham v. Silicon Union, Corp.

Overview

Tasks

Proof Points

Damages

Players

Documents

Discovery Questions

Task List

Review Complaint

Venue / Business Analysis

FOIA Request Task

Other Agency Document

Locus

Court admission

Analyze Local Rules

Legal Research

Evaluate Early Discovery

Jury Venue

Removal Analysis

Responsive Pleading

Transfer Analysis

Early Case Assessment

Show All

Venue/Business Analysis

Question

Assessment

Parties

Does the community standing of any of the parties affect the defense of this case?

Favors Defendant

Favors Plaintiff

Judge

If the judge is known, will his/her leanings influence our defense of this case?

Favors Defendant

No Affect

Jury Profile

How do you perceive the defense leanings for the average jury in this venue?

Favors Defendant

No Affect

Opposing Counsel

What is the likely impact of the opposing lawyer(s) on our successful defense of this case?

Favors Defendant

Favors Plaintiff

Appellate Courts

Based on the anticipated burden of proof and evidentiary issues known at this time, what effect will current appellate decisions have on the defense of this case?

Favors Defendant

Favors Plaintiff

Method and Timing of Discovery

Will the normal practice of this court regarding discovery help or hurt the defense of this case?

Favors Defendant

Favors Plaintiff

Timing to Trial

How will the normal time to trial in this court influence our defense of this case?

No Affect

Favors Plaintiff

Subpoena Power

If there are limitations on the range of subpoena service in this unit, how does that impact our defense?

Favors Plaintiff

Favors Defendant

Business Conditions

Are there business conditions affecting this case? If yes, what and how?

Favors Plaintiff

Favors Defendant

<< Previous

Next >>

Status:

In Progress

Resources

Associate

Reviewer

Partner

Done?

Done?

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 6

Calendar Discovery Generator Close

Discovery Questions

Show All

If the judge is known, will his/her influence our defense of this case?

Judge hearings interfere with science or case?

1. Will the same judge be assigned to discovery, pre-trial, and trial

of this case?

[illegible]

If yes,

1. Does the judge have a

reputation for being pro-

complaint or pro-beneficiary: yes, which?

2. Does the judge have any political or social ties to the

political or social ties to one plaintiff's counsel, the

defense counsel, or any
state to the lawsuit? If so

party to the lawsuit, as you describe.

3. Does the judge have any tendencies as to discovery

issues that may affect our

defense of this case? If yes, describe

4. Does the judge have any

tendencies as to trial
evidence that may affect ou

defense of this case? If yes

2
explain.

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(continued)

1. The first part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The second part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The third part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The fourth part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The fifth part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The sixth part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The seventh part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The eighth part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The ninth part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The tenth part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries.

1990

(The following section contains faint, illegible handwritten notes or bleed-through from another page.)

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

!

!

Fig. 1

Fig. 7

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William Windham v. Silcon Union, Corp.

Overview | Tasks | Prof Points | Damages | Players | Documents | Discovery Questions

Task List

Review Complaint
Venue / Business Analysis
FOIA Request Task
Other Agency Document
Locus
Court admission
Analyze Local Rules
Legal Research
Evaluate Early Discovery
Jury Venue
Removal Analysis
Responsive Pleading
Transfer Analysis
Early Case Assessment

Show All

Status:

In Progress

Resources
Associate
Reviewers
Partner

Done?

Done?

View Log

Unlock

Update

Jury Profile

How do you perceive the defense
venue?

Favors Defendant

No Affect

What is the likely impact of the opposing
lawyer(s) on our successful defense of
this case?

No Affect

- reputation for being pro-
plaintiff or pro-defendant? If
yes, which?
- Does the judge have any political or social ties to the plaintiff's counsel, the defense counsel, or any party to the lawsuit? If so, describe.
 - Does the judge have any tendencies as to discovery issues that may affect our defense of this case? If yes, describe.
 - Does the judge have any tendencies as to trial evidence that may affect our defense of this case? If yes, explain.

disposition to educate/judge?

- Does the judge have a reputation for being pro-plaintiff or pro-defendant? If yes, which?
- Does the judge have any political or social ties to the plaintiff's counsel, the defense counsel, or any party to the lawsuit? If so, describe.
- Does the judge have any tendencies as to discovery issues that may affect our defense of this case? If yes, describe.
- Does the judge have any tendencies as to trial evidence that may affect our defense of this case? If yes, explain.

- If unknown,
- Are there any local customs or practices in this court which may affect the defense of this case? Please explain.

Fig. 8

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William Windham v. Sificon Union, Corp.

Overview

Tasks

Proof Points

Damages

Players

Documents

Discovery Questions

Calendar

Discovery Generator

Close

Task List

Review Complaint

Venue / Business Analysis

FOIA Request Task

Other Agency Document

Locus

Court admission

Analyze Local Rules

Legal Research

Evaluate Early Discovery

Jury Venue

Removal Analysis

Responsive Pleading

Transfer Analysis

Early Case Assessment

Show All

Venue/Business Analysis

Question

Assessment

Does the community standing of any of parties affect the defense of this case?

Favors Defendant

Judge

If the judge is known, will his/her leanings influence our defense of this case?

Favors Plaintiff

Jury Profile

How do you perceive the defense leanings for the average jury in this venue?

Favors Defendant

1. What geographic area will a jury venire be drawn from? Describe.

2. Is there a pro-plaintiff or pro-defendant trend in jury verdicts for case of this type in this venire? If yes, describe. Should we evaluate retaining a juror consultant?

3. Do we have demographic and/or socio-economic data for the average juror in this venire?

4. Are there any facts or circumstances now known about this case which indicate we do not want this case tried to a jury (i.e., reputation of defendant or plaintiff; medical condition of plaintiff; "bad actor" supervisor, etc.)? If yes, describe.

5. Are there any local or regional stories or current events that might be woven into the jury theme in this case to help explain the defendant's actions to a jury?

Status:

In Progress

Resources

Associate

Reviewers

Partner

Done?

Done?

View Log

Unlock

Update

Opposing Counsel

What is the likely impact of the opposing lawyer(s) on our successful defense of this case?

No Affect

Appellate Courts

Based on the anticipated burden of proof and evidentiary issues known at this time, what effect will current appellate decisions have on the defense of this case?

Favors Defendant

Method and Timing of Discovery

Will the normal practice of this court regarding discovery help or hurt the defense of this case?

Favors Defendant

Timing to Trial

How will the normal time to trial in this court influence our defense of this case?

Favors Defendant

Jury Theme: Plaintiff lied on his job application.

Venue 1.1.0.8

Fig. 9

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Silicon Union, Corp.

Calendar

Discovery Generator

Close

Overview

Tasks

Proof Points

Damages

Players

Documents

Discovery Questions

Task List

Review Complaint

Venue / Business Analysis

FOIA Request Task

Other Agency Document

Locus

Court admission

Analyze Local Rules

Legal Research

Evaluate Early Discovery

Jury Venue

Removal Analysis

Responsive Pleading

Transfer Analysis

Early Case Assessment

Show All

Venue/Business Analysis

Question

Assessment

Parties

Does the community standing of any of the parties affect the defense of this case?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Judge

If the judge is known, will his/her leanings influence our defense of this case?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Jury Profile

How do you perceive the defense leanings for the average jury in this venue?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Opposing Counsel

What is the likely impact of the opposing lawyer(s) on our successful defense of this case?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Appellate Courts

Based on the anticipated burden of proof and evidentiary issues known at this time, what effect will current appellate decisions have on the defense of this case?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Method and Timing of Discovery

Will the normal practice of this court regarding discovery help or hurt the defense of this case?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Timing to Trial

How will the normal time to trial in this court influence our defense of this case?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Subpoena Power

If there are limitations on the range of subpoena service in this unit, how does that impact our defense?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Business Conditions

Are there business conditions affecting this case? If yes, what and how?

select

Strongly Favors Defendant

Favors Defendant

No Affect

Favors Plaintiff

Strongly Favors Plaintiff

Status:

In Progress

Resources

Associate

Reviewers

Partner

Done?

Done?

Done?

View Log

Unlock

Update

« << Previous

Next >> »

Jury Theme: Plaintiff lied on his job application.

Vinnite 1.1.0.8

Fig. 10

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Sificon Union, Corp.

Overview

Tasks

Proof Points

Damages

Players

Documents

Discovery Questions

Calendar

Discovery Generator

Close

Task List

Review Complaint

Venue / Business Analysis

FOIA Request Task

Other Agency Document

Locus

Court admission

Analyze Local Rules

Legal Research

Evaluate Early Discovery

Jury Verdict

Removal Analysis

Responsive Pleading

Transfer Analysis

Early Case Assessment

Show All

FOIA Request

Did Plaintiff file a charge of discrimination with the EEOC or state Fair Employment Practices (FEP) Agency?

☒ Yes
 ☐ No

Complete a Freedom of information act request from the EEOC or FEP for all documents related to Plaintiff's claims.

Freedom of Information Act

FOIA Request

Open

Create new document

Calendar 30 days to follow up on request:

<< Previous

Next >>

Status:

In Progress

Resources

Associate

Reviewers

Partner

Done?

Done?

Done?

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 11

TACTIX™

Attorney Client Communication / Attorney Work Product

Calendar

Discovery Generator

Close

William Windham v. Sifton Union, Corp.

Overview | Tasks | Prof Points | Damages | Players | Documents | Discovery Questions

Task List

Review Complaint

Venue / Business Analysis

FOIA Request Task

Other Agency Document

Locus

Court admission

Analyze Local Rules

Legal Research

Evaluate Early Discovery

Jury Verdict

Removal Analysis

Responsive Pleading

Transfer Analysis

Early Case Assessment

Other Agency Document Request

Has Plaintiff filed a claim with any other governmental agency?

☒ Yes

☐ No

Complete a request from the agency for all documents related to Plaintiff's claims.

Other Agency Documents

Create new document

Calendar 30 days to follow up on request:

<< Previous

Next >>

Status:

On Hold

Resources

Associate

Reviewer

Partner

Done?

Done?

Done?

View Log

Unlink

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 12

William Windham v. Silicon Union, Corp.

Overview Tasks Proof Points Damages Players Documents Discovery questions

Task List

Review Complaint
Venue / Business Analysis

Other Agency Document

Locus

**Court admission
Analyze Local Rules
Legal Research
Evaluate Early Discovery
Jury Verdict
Removal Analysis
Responsive Pleading
Transfer Analysis
Early Case Assessment**

Show All

Locus

- ☐ Request all pertinent documents and materials related to Plaintiff's claims
- ☐ Obtain list of potential witnesses, including contact information
- ☐ Obtain all information sent by client to EEOC or other governmental agency
- ☐ Obtain all information related to any internal investigations
- ☐ Obtain all information related to Plaintiff's wages / salary / benefits.
- ☐ Obtain information related to potential comparators

Is the locus unionized?

Yes

NO

- ☐ Obtain all formal or informal grievance and arbitration materials related to this matter
- ☐ Obtain union contracts

<< Previous Next >>

Next >>

Status:

On Hold

Resources

Associate

Reviewers

Partner

Done?

Done?

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 13

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Silicon Union, Corp.

Overview

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Proof Points

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Close

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Review Complaint

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Locus

Court admission

Analyze Local Rules

Legal Research

Evaluate Early Discovery

Jury Verdict

Removal Analysis

Responsive Pleading

Transfer Analysis

Early Case Assessment

Show All

Court Admission

Is counsel admitted in Court where complaint filed?

☐ Yes

☒ No

☐ Obtain local counsel.

☐ If appropriate, seek pro hac vice admission in court.

<< Previous

Next >>

Status:

Not Started

Resources

Associate

Reviewers

Partner

Done?

☐

Done?

☐

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 14

TACTIX™

Attorney Client Communication / Attorney Work Product

Calendar

Discovery Generator

Close

William Windham v. Silicon Union, Corp.

Overview

Tasks

Proof Points

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Documents

Discovery Questions

Task List

Review Complaint

Venue / Business Analysis

FOIA Request Task

Other Agency Document

Locus

Court admission

Analyze Local Rules

Legal Research

Evaluate Early Discovery

Jury Venue

Removal Analysis

Responsive Pleading

Transfer Analysis

Early Case Assessment

Show All

Analyze Local Rules to:

Done

Determine date responsive pleadings are due:

Done

What are service requirements for responsive pleadings?

Done

Review Mandatory Disclosure Requirements / date due:

Done

What are service requirements for Mandatory Disclosure Requirements?

Done

Review guidelines involving Mandatory Scheduling Conferences

Done

Determine Discovery deadlines:

Done

What are service requirements for Discovery?

<< Previous

Next >>

View Log

Unlock

Update

Status:

Not Started

Resources

Associate

Reviewers

Partner

Done?

Done?

Done?

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 15

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Silicon Union, Corp.

Calendar

Discovery Generator

Close

Overview

Tasks

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Other Agency Document

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Court admission

Analyze Local Rules

Legal Research

Evaluate Early Discovery

Jury Venire

Removal Analysis

Responsive Pleading

Transfer Analysis

Early Case Assessment

Show All

Legal Research

Determine jurisdiction.

Resolve any conflict of laws issues.

What are Plaintiff's causes of actions?

Cause of Action

Applicable Statute of Limitations

Prima facie case

Leading cases with summary:

Date last updated

Cause of Action

Applicable Statute of Limitations

Prima facie case

Leading cases with summary

Date last updated

OK

Cancel

☐ Review Proof Points and conduct research related to each of Plaintiff's claims

<< Previous

Next >>

Status:

Not Started

Resources

Associate

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Partner

Done?

Done?

Done?

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Winnie 1.1.0.8

Fig. 16

William Windham v. Silicon Union, Corp.

Overview Tasks Proof Points Damages Players Documents Discovery questions

Task List

Review Complaint

Venue / Business Analysis

Other Agency Document

Locus

Court admission

Legal Research

Evaluate Early Discovery

Jury Venire

Removal Analysis

Transfer Analysis

Early Case Assessment

Show All

Evaluate Early Discovery

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Status:

Not Started

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Dome?

Done?

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Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 17

TACTIX™

Attorney Client Communication / Attorney Work Product

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Close

William Windham v. Silfcon Union, Corp.

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Jury Venue

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Transfer Analysis

Early Case Assessment

Show All

Jury Venue

Obtain Information Regarding:

Plaintiff's counsel:

Name:

Law School:

Date of Admission to BAR:

Reported Cases:

Bar Discipline:

Other:

Judge:

Name:

Law School:

Date of Admission to BAR:

Reported Cases:

Bar Discipline:

Published Comments:

Appointing Authority:

Jury:

Review judgements in similar cases:

Size of community:

Perception of defendant in community:

Status:

Not Started

Resources

Associate

Reviewers

Partner

Done?

Done?

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 18

Calendar Discovery Generator Close

Damages	Players	Documents	Discovery Questions
----------------	----------------	------------------	----------------------------

Show All

- | | |
|-------------------------|--------|
| Judicial profile | select |
| (analysis) | |
| Appellate Court profile | select |
| (analysis) | |
| Discovery Track | select |
| (analysis) | |

1450

Fig. 20

William Windham v. Silicon Union, Corp.

Overview

Tasks

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Players




























Documents

Discovery Questions

[Task List](#)

Task List

- Review Complaint
- Venue / Business Analysis
- FOIA Request Task
- Other Agency Document
- Locus
- Court admission
- Analyze Local Rules
- Legal Research
- Evaluate Early Discovery
- Jury Verdict
- Removal Analysis
- Responsive Pleading
- Transfer Analysis
- Early Case Assessment

(analysis)	<input type="text"/>			
Subpoena power	<input type="text"/>			
(analysis)	<input type="text"/>			
Mechanics of Jury Selection, Voir Dire	<input type="text"/>			
(analysis)	<input type="text"/>			
Local rules/customs	<input type="text"/>			
(analysis)	<input type="text"/>			
Physical Facility	<input type="text"/>			
(analysis)	<input type="text"/>			

Is removal appropriate?

☒ Yes
☐ No

Remove Recommendation

○ Federal

[<< Previous](#)
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Update

Jury Theme: Plaintiff lied on his job application.

Fig. 21

TACTIX™

Attorney Client Communication / Attorney Work Product

CalendarDiscovery GeneratorClose

William Windham v. Silicon Union, Corp.

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Show All

Removal Analysis

In what court was claim filed?
☒ State
☐ Federal
Is there a basis for removal?
☒ Yes
☐ No
Is there diversity jurisdiction?
☒ Yes
☐ No
Is there federal question jurisdiction?
☒ Yes
☐ No

Categories

Profile of the parties
(analysis)
select
Profile of the attorneys
(analysis)
select
Potential Juror Profile
(analysis)
select
Judicial profile
(analysis)
select

Decisions

select
Strongly Favors Removal
Favors Removal
No Effect in Removal
Favors Remaining in State
Strongly Favors Remaining in State

Status:
Not Started
Resources
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Reviewer
Partner
Done?
Done?
Done?

View LogUnlockUpdate

Jury Theme: Plaintiff lied on his job application.

Virnie 1.1.0.8

Fig. 22

TACTIX™

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William Windham v. Silicon Union, Corp.

Calendar

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Close

Overview

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Locus

Court admission

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Show All

Responsive Pleading

What is the appropriate responsive pleading in this case?

Answer

Answer

Determine how much time Defendant has to answer.

Review all applicable statutes and local rules to determine proper format and content of the answer.

Consult all applicable ethical requirements, such as Federal Rule of Civil Procedure 11.

Investigate the facts alleged in the Complaint.

a. Consult the defendant and other witnesses;

b. Conduct further factual investigation;

c. Review available documents and potential exhibits.

REVIEW SPECIAL ISSUES RELATED TO ANSWER.

Check local service procedures.

File and serve answer.

Not Started

Resources

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Done?

Done?

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Update

C. Motion to Dismiss

C. Motion for a more definite statement

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 24

TACTIX™

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William Windham v. Sificon Union, Corp.

Calendar

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Responsive Pleading

What is the appropriate responsive pleading in this case?
Answer

Percentage Complete35%
Reliability20%
RecommendationAnswer

Answer

Determine how much time Defendant has to answer.

Review all applicable statutes and local rules to determine proper format and content of the answer.

Consult all applicable ethical requirements, such as Federal Rule of Civil Procedure 11.

Investigate the facts alleged in the Complaint

Research the law relating to each claim and defense.

Draft answer and affirmative defenses.

Review specific issues related to answers.

- Do not default;

- Certain defenses and compulsory counterclaims may be waived if not raised with the answer, although leave to amend to add the allegation may be granted by the court FRCP 8(c), 12(h);

- The answer should proceed paragraph by paragraph to respond to the complaint and numbered accordingly;

- The possible responses are generally:
1) Admit;
2) Deny;
3) Insufficient information to form a belief.

- Defendant should deny any allegation that is not specifically admitted.

- Affirmative defenses: statute of limitations.

- Pleading special matters.

- 12(b) matters must be pleaded (failure to state a claim or lack of jurisdiction).

C Motion

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Status:
Not Started

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Done?
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Done?
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Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 25

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FOIA Request Task

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Removal Analysis

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Early Case Assessment

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10

10

Figure 1. A schematic diagram of the experimental setup. The subject is seated in a chair, viewing a screen displaying a target. The target is a vertical line with a horizontal bar at the top. The subject's hand is positioned at the bottom of the target. The distance between the subject's hand and the target is labeled as d . The distance between the target and the screen is labeled as D . The distance between the subject's hand and the screen is labeled as L . The distance between the target and the subject's hand is labeled as l . The distance between the target and the screen is labeled as D . The distance between the subject's hand and the screen is labeled as L . The distance between the target and the subject's hand is labeled as l .

Status:

Not Started

Reunites

Associate

100

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1

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Jury Theme: Plain

Fig. 27

TACTIX™

Attorney Client Communication / Attorney Work Product

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William Windham v. Silicon Union, Corp.

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Show All

Responsive Pleading

What is the appropriate responsive pleading in this case?

Answer

Motion to Dismiss

Motion for a more definite statement

Percentage Complete

35%

Reliability

20%

Recommendation

Answer

Motion for a more definite statement

On what basis is a motion for a more definite statement appropriate?

pleading is unintelligible.

pleading is so hopelessly vague and ambiguous that a defendant cannot fairly be expected to frame a response or denial without risking prejudice.

pleading fails to properly allege facts that must be specially pleaded (e.g., fraud, mistake, denial of performance or occurrence, special damages, RICO statements).

pleading fails to provide facts necessary to determine threshold defenses exist (e.g., statute of limitations or statute of frauds).

Complete Motion for a more definite statement

Determine how much time Defendant has to file Motion for a more definite statement.

Consult all applicable ethical requirements, such as Federal Rule of Civil Procedure 11.

Investigate the facts alleged in the Complaint

Research the law relating to each claim and defense.

Check local service procedures.

File and serve Motion for a more definite statement.

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Status:

Not Started

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Patnei

Done?

Done?

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Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 28

TACTIX™

William Windham v. Sificon Union, Corp.

Attorney Client Communication / Attorney Work Product

Calendar Discovery Generator Close

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Show All

Early Case Assessment

Case Number

Matter Number

Date

Parties - Comments

Related Litigation

Background

Allegations

Defenses

Damages

Court - Comments

Status:

Not Started

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Done?

Done?

Done?

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 29

William Windham v. Silicon Union, Corp.

Attorney Client Communication / Attorney Work Product

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Key Defendant Witnesses

Key Documents

Key Dates

Opposing Trial Themes

Trial Themes

Status:

Not Started

Resources

Done?

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Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 30

William Windham v. Silicon Union, Corp.

Task List

- Review Complaint
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- Evaluate Early Discovery
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Trial Themes

Strengths

Weaknesses

Client Perspective

Settlement

Strategy

Budget

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 31

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Sificon Union, Corp.

Overview

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Decisionmaker

Legitimate Non-discriminatory

Discriminatory Statements

Pretext

What are Plaintiff's claims?

☐ Discrimination

☐ FMLA

☐ Equal Pay Act

☐ FLSA

☐ Section 1981

☐ Section 1985

☐ State Claims

☐ Other:

<< Previous

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Discovery Questions

Show All

Show Information Source

Status:

In Progress

Resources

Associate

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Done?

Done?

Done?

Done?

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Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 32

TACTIX™

Attorney Client Communication / Attorney Work Product

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Discriminatory Statements

Pretext

What are Plaintiff's claims?

☒ Discrimination

Based on what protected category?

☐ Race

☐ Sex

☐ National Origin

☐ Religion

☐ Retaliation (Whistleblower)

☐ Disability

☐ Age

☐ Sexual Orientation

☐ Other:

☐ FMLA

☐ Equal Pay Act

☐ FLSA

☐ Section 1981

☐ Section 1985

☐ State Claims

☐ Other:

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Status:

In Progress

Done?

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Update

Jury Theme: Plaintiff filed on his job application.

Vinnie 1.1.0.8

Fig. 33

TACTIX™

Attorney Client Communication / Attorney Work Product

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Discriminatory Statements
Pretext

Proof Point List

Show All

What are Plaintiff's claims?

☒ Discrimination

Based on what protected category?

☒ Race

What adverse action is alleged?

☐ Failure to Hire

☐ Failure to Promote

☐ Demotion

☒ Termination

☐ Reduction in Force

☐ Harassment

☐ Other:

What is Plaintiff's race?

☒ African American

☐ Hispanic

☐ Caucasian

☐ Asian

☐ Native American

☐ Middle Eastern

☐ Other:

Status:

In Progress

Resources
Associate
Reviewers
Partner

Demo?
☐

Demo?
☐

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 34

TACTIX™

Attorney Client Communication / Attorney Work Product

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William Windham v. Silicon Union, Corp.

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Initial Component

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DamagesPlayersDocumentsDiscovery Questions

Show All

What are Plaintiff's claims?

☒ Discrimination

Based on what protected category?

☐ Race☐ Sex☒ National Origin

What adverse action is alleged?

☐ Failure to Hire☐ Failure to Promote☐ Demotion☒ Termination☐ Reduction in Force☐ Harassment☐ Other:

What is Plaintiff's National Origin?

Status:

In Progress

ResourcesAssociateDone?ReviewerPalmerDone?

View LogUnlockUpdate

PLA A

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 36

TACTIX™

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Pretext

What are Plaintiff's claims?

☒ Discrimination

Based on what protected category?

☐ Race
 ☐ Sex
 ☐ National Origin
 ☐ Religion
 ☐ Retaliation (Whistleblower)
 ☒ Disability

What adverse action is alleged?

☐ Failure to Hire
 ☐ Failure to Promote
 ☐ Demotion
 ☒ Termination
 ☐ Reduction in Force
 ☐ Harassment
 ☐ Failure to Accommodate
 ☐ Other:

Is Plaintiff's disabled?

☐ Yes
 ☒ No

☐ Age
 ☐ Sexual Orientation
 ☐ Other:

Update

Status:

In Progress

Resources

Associate

Reviewers

Partner

Done?

Done?

Done?

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Jury Theme: Plaintiff lied on his job application.

Vinnio 1.1.0.8

Fig. 37

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Silicon Union, Corp.

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Show All

[1 of 9] Position

From what position was Plaintiff terminated?

Quality Assurance Manager

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Discovery Generator

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Status:

In Progress

Done?

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Partner

Done?

Done?

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Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 39

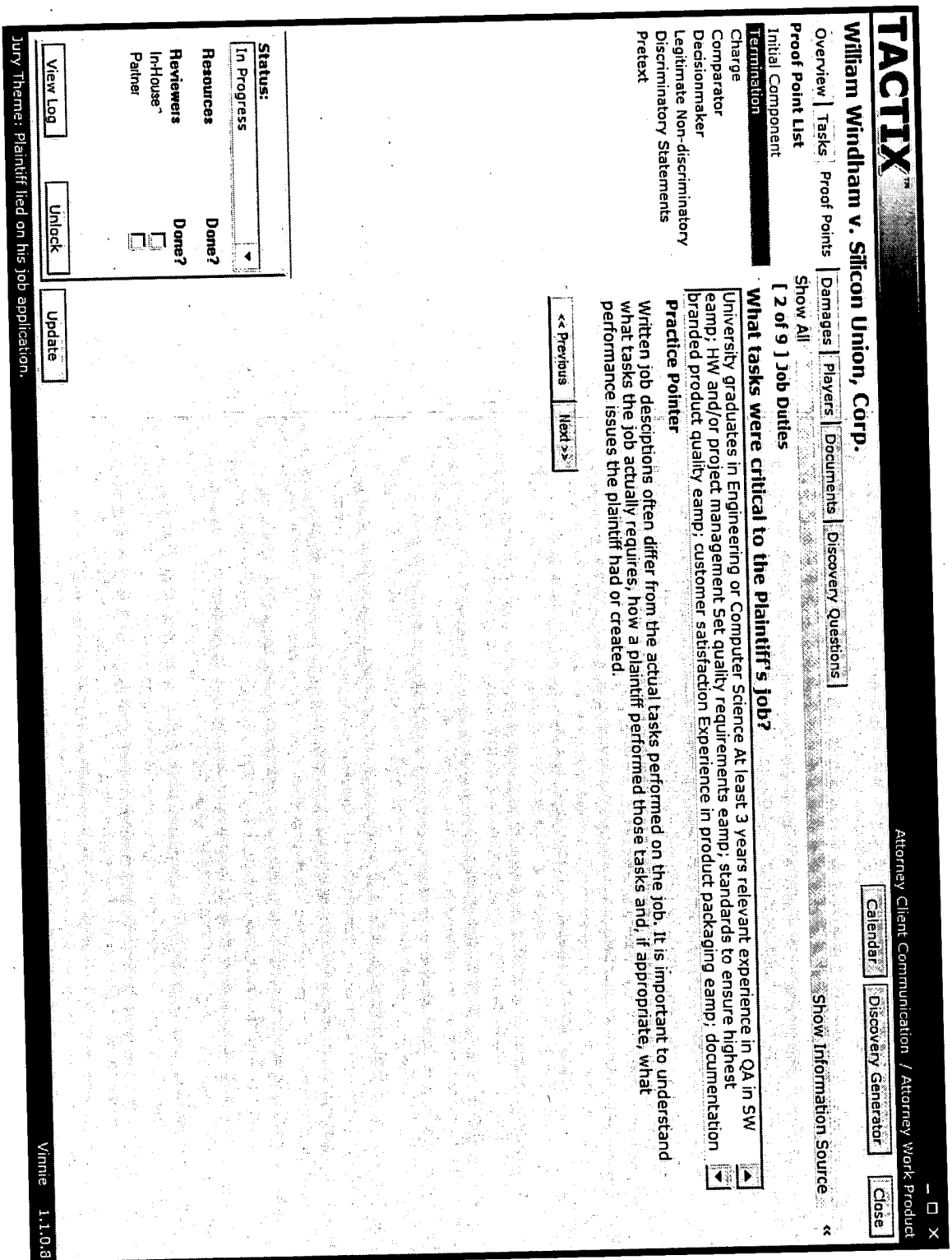


Fig. 40

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[3 of 9] Job Duties

Show Information Source

Is there any disagreement that Plaintiff was qualified for the position from which he was terminated?

☒ Yes

☐ No

Explain the disagreement:

Co-workers and peer managers were skeptical of plaintiff's claim to have attended the Univ. of Arkansas.

Practice Pointer

Co-workers are powerful witnesses at trial. It is important to determine how co-workers assess the plaintiff's qualifications to perform, especially if management's view is subjective or influenced by personal bias toward the plaintiff.

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Status:

In Progress

Done?

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Done?

Done?

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Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 41

Calendar
Discovery Generator
Close

Damages	Players	Documents	Discovery Questions
---------	---------	-----------	---------------------

Show Information Source

Show All

[4 of 9] Reason

What was the reason given for plaintiff's termination?

C **Thrift**

C Violation of drug/alcohol policy

C Violation of Technology Use policy

C Insubordination

Attendance

C Poor quality work

Other:

Plaintiff misrepresented his completion of a college degree.

[<< Previous](#)

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In Progress

Done?

Done?

[View Log](#)

Unlock

Update

Yinnie 1.1.0.3

Fig. 42

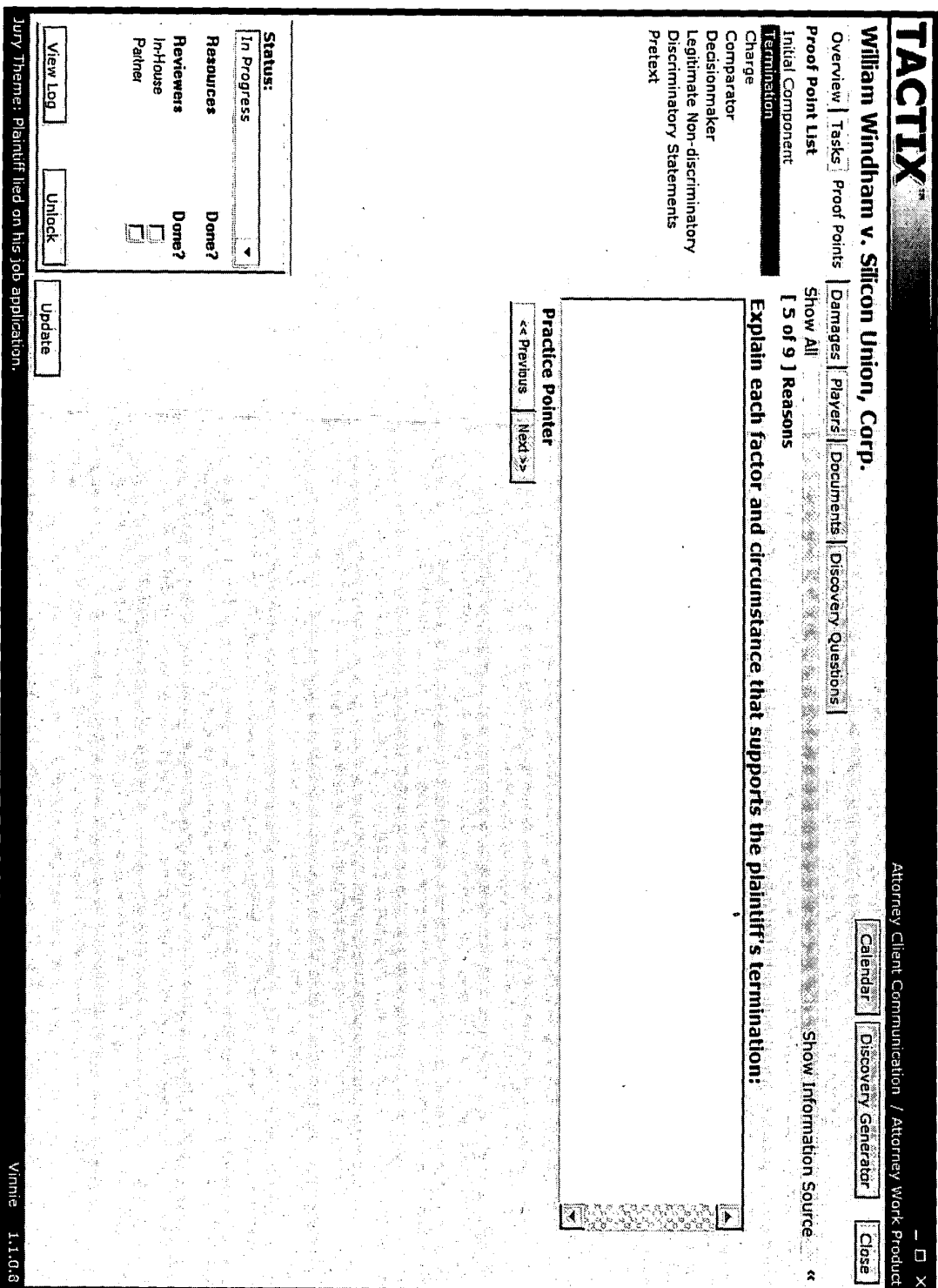


Fig. 43

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[6 of 9] Basis

Show Information Source

Was the reason for plaintiff's termination objective, subjective or both?

☒ Objective

☐ Subjective

☐ Both

Explain:

A college degree is clearly stated to be a requirement for the plaintiff's job position. Plaintiff originally represented that he had a college degree. When challenged by the HR manager to produce a diploma, plaintiff was unable to do so. Subsequent check by HR manager with the college plaintiff said he graduated from showed no record of plaintiff obtaining a college degree there.

Practice Pointer

Subjective judgment supporting an adverse employment action is often valid but frequently attacked as being influenced by a manager's bias. John was fired because he had a "bad attitude" is subjective. John was fired after he "admitted to stealing \$10,000" is not. Absent clearly defined and observed violations of stated rules or policy, a decision to discipline or terminate based solely on a manager's opinion of the plaintiff's performance will be subject to attack. Plaintiff's counsel will seek to establish that the subjective decision was both illegal and "unfair." Even if plaintiff cannot show a prima facie case as a matter of law, experienced plaintiff's counsel will seek to create disputes over "material issues of fact" to defeat the company's motion for summary judgment. Since juries almost always read sympathetically to "unfair treatment," plaintiff's counsel will attempt to show that the plaintiff was a victim of one or more unfair and/or illegal patterns of company conduct. See Common Jury Themes for Plaintiffs. Objective decisions are normally based on first-hand observation of an established rule violation or measured results of the rule violation. The more objective the basis for the decision is, the harder it will be to create a genuine issue of material fact to defeat summary judgment. Stated differently, subjective management decisions are harder to defend, often regaining defendants to analyze much more evidence to explain and defend the adverse employment action.

Status:

In Progress

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Done?

Done?

Done?

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Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 44

Calendar

Discovery Generator

close

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Show Information Source

[7 of 9] Consistency

Is there evidence which may be inconsistent with the decision to terminate Plaintiff?

☒ Yes

100

3

What

Price

What is the inconsistent evidence?

- ☐ Evidence which contradicts version of evidence relied upon by decisionmaker to terminate Plaintiff
- ☐ Evidence of inconsistent enforcement of rules (more lenient treatment of others)
- ☐ Third-party or co-worker statement supporting Plaintiff's version
- ☐ Other evidence from which a discriminatory intent can be inferred. (e.g., racial epithets, graffiti)
- ☐ Prior complaints of discrimination to EEOC, state agency, internal EEO office, or union
- ☐ Other:

Explain:

Explain: _____

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Status:

In Progress

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Done?

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Jury Theme: Plaintiff lied on his job application.

Yinnie 1.1.0.8

Fig. 45

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[8 of 9] Replacement

Did anyone replace Plaintiff?

☒ Yes

☐ No

What is the replacement's name?

Ralph Pendleton

When did the replacement occur?

12/16/2000

Is Plaintiff likely to argue the replacement is not qualified?

☒ Yes

☐ No

Explain:

Replacement is caucasian and has fewer years job experience than plaintiff. However, replacement has a college degree.

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Status:

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Partner

Done?

Done?

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Show Information Source

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 46

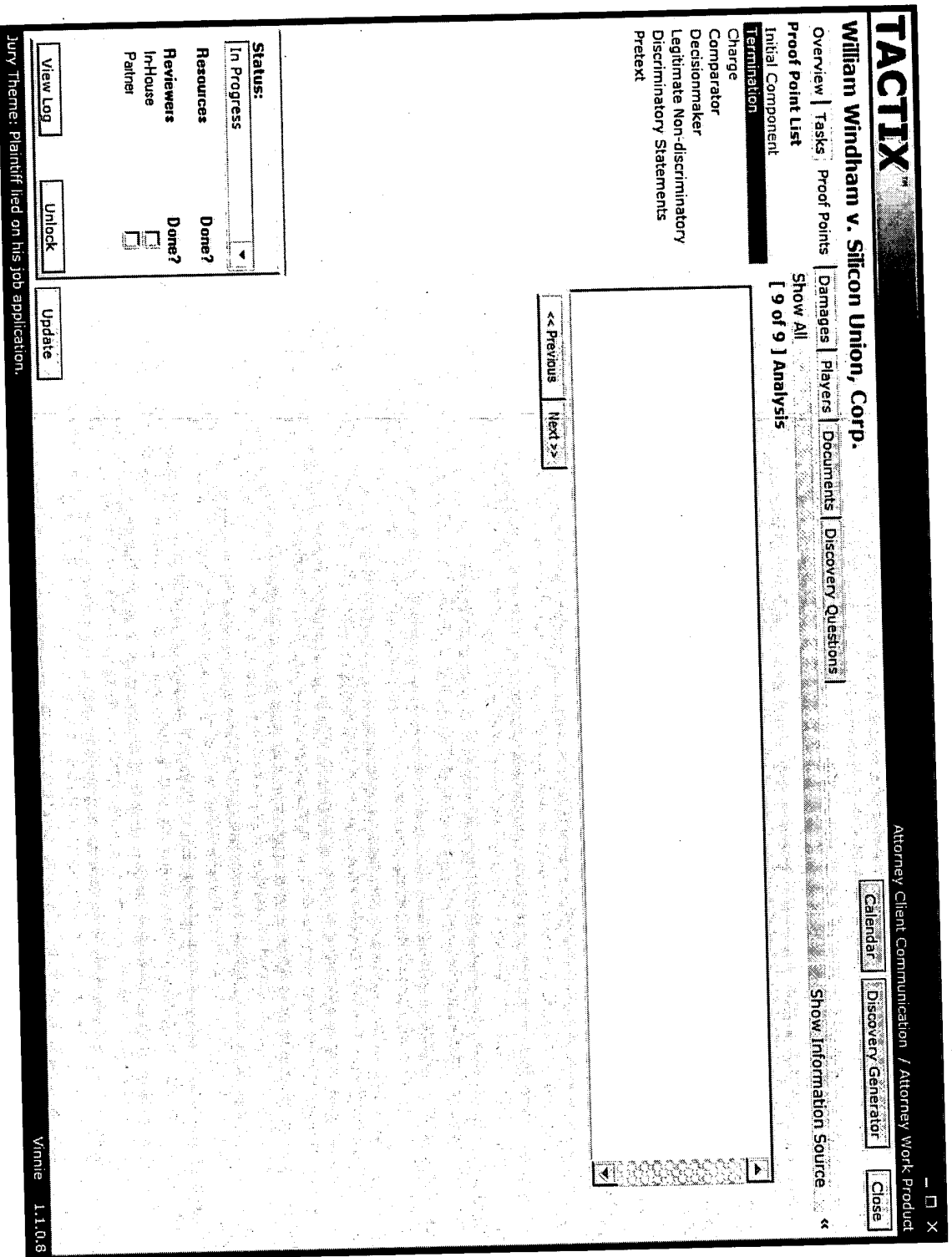


Fig. 48

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Attorney Client Communication / Attorney Work Product

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[1 of 6] Charge

Has Plaintiff filed a charge of discrimination with regard to this allegation?

☒ Yes

☐ No

Date of Charge

03/21/200

Date of First Adverse Action

11/29/200

Date of Last Adverse Action

11/29/200

Adverse Action Alleged

Termination

Based on what protected category

Race

Does jurisdiction have a state agency?

☒ Yes

☐ No

300 days prior to date of charges would be:

Are the adverse actions alleged within the 300 day timeframe?

☐ Yes

☐ No

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Status:

In Progress

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Jury Theme: Plaintiff lied on his job application.

Vinnit 1.1.0.8

Fig. 49

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Pretext

What is the allegedly adverse action alleged in the charge of discrimination?

☐ Failure to hire

☐ Failure to promote

☐ Demotion

☒ Termination

☐ Reduction in Force

☒ Failure to hire

☐ Failure to accommodate

☐ Other:

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Next >>

Status:

In Progress

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Done?

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 50

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[3 of 6] Charge

When did the allegedly adverse action take place?

11/29/2001

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 51

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William Windham v. Sificon Union, Corp.

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[4 of 6] Charge

Is this consistent with claims in the lawsuit?

☒ Yes

☐ No

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 52

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[4 of 6] Charge

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Is this consistent with claims in the lawsuit?

Charge Comparator

☒ Yes

Decisionmaker



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Jury Theme: Plaintiff lied on his job application.

Vinnie	1.1.0.8
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Fig. 53

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[5 of 6] Charge

What date was the charge of discrimination filed.

3/21/2003

Practice Pointer

Determine whether the lawsuit was filed within the statute of limitations.

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Jury Theme: Plaintiff lied on his job application.

Vinnio 1.1.0.8

Fig. 54

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[6 of 6] Analysis

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 55

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[1 of 6] Comparator

Who appear to be logical comparators to Plaintiff?

☐ Employees in Plaintiff's Department

☒ Employees in Plaintiff's job classification

☐ Employees working for Plaintiff's supervisor

☐ All hourly employees?

☐ All salaried employees

☐ All employees at the facility

☐ All employees working for employer

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 56

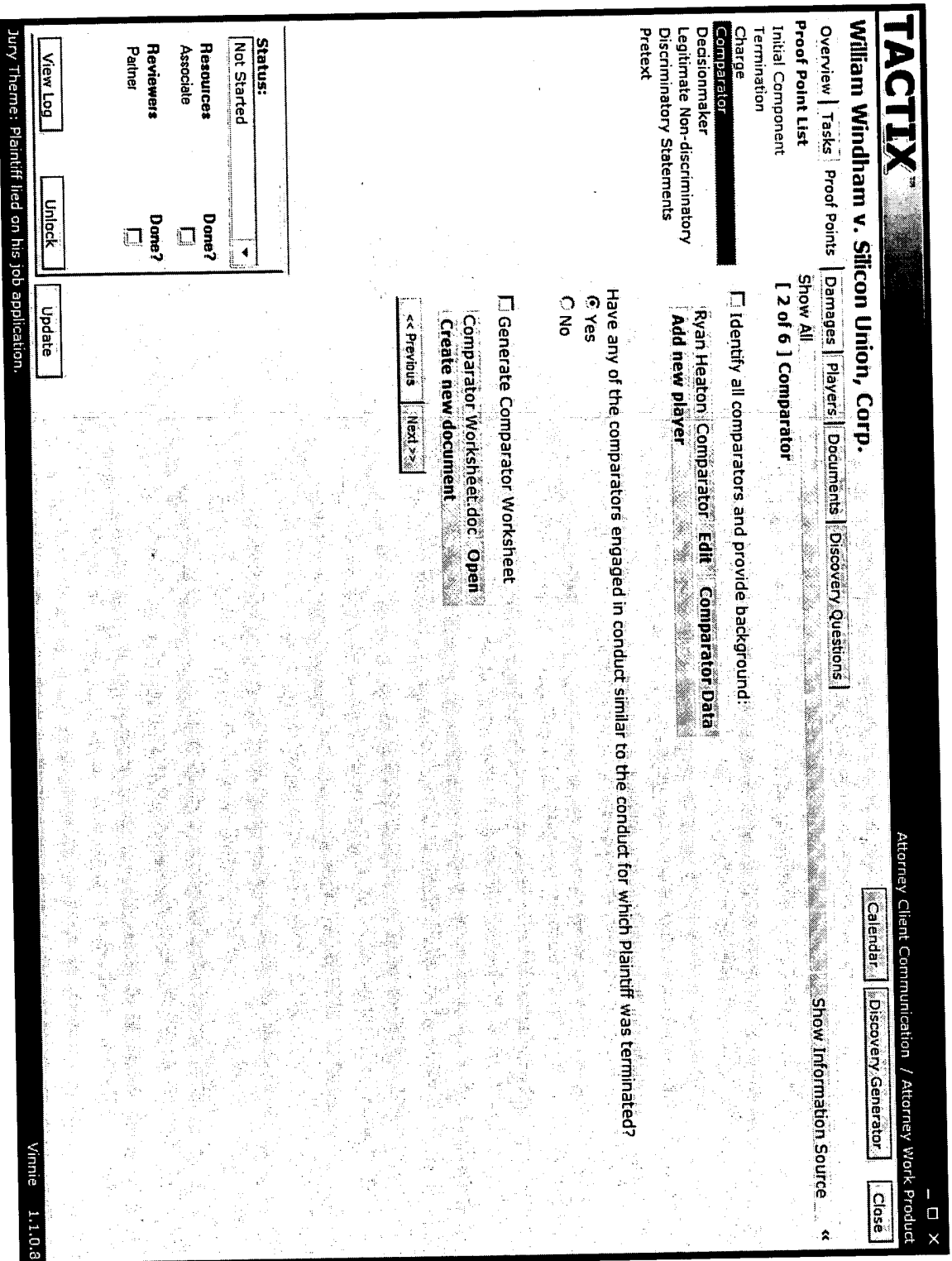


Fig. 57

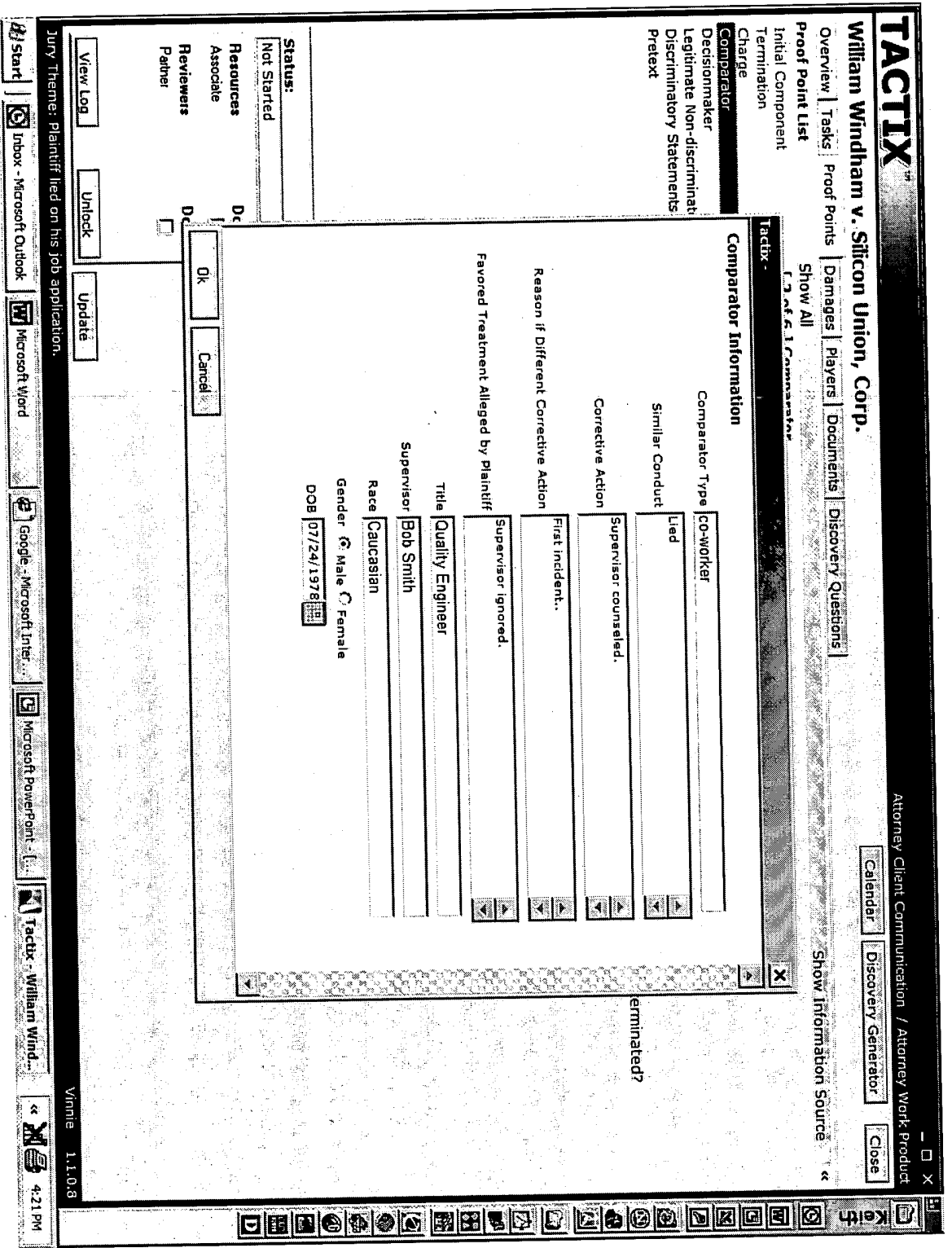


Fig. 58

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[3 of 6] Comparator

Provide each similarly situated comparator's name, address, job title, supervisor's name, race, gender, describe similar conduct, corrective action taken against this co-worker.

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 59

William Windham v. Silicon Union, Corp.

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[4 of 6] Comparator

Any difference in corrective action taken?

☒ Yes

☐ No

Reason for difference:

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Done?

☐

Done?

☐

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Jury Theme: Plaintiff lied on his job application.

Fig. 60

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[5 of 6] Comparator

Does Plaintiff claim that a similarly situated employee outside of plaintiff's protected group received favored treatment or did not receive the same adverse treatment?

☒ Yes

☐ No

Explain:

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 61

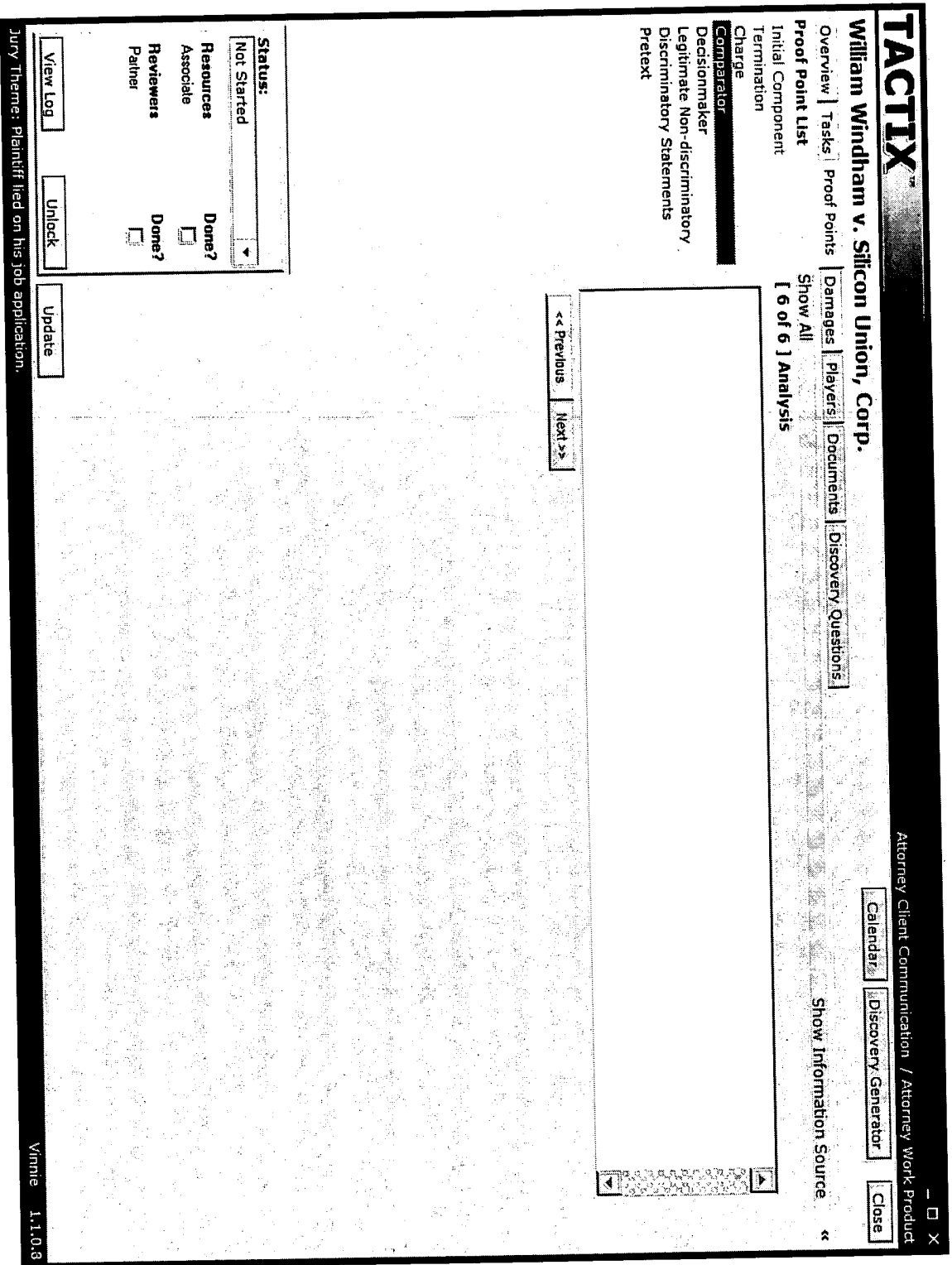


Fig. 62

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[1 of 12] Decisionmaker

Who does the company contend made the final decision to take the adverse action against plaintiff?

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 63

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Does Plaintiff contest this determination?

☒ Yes ☐ No

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 64

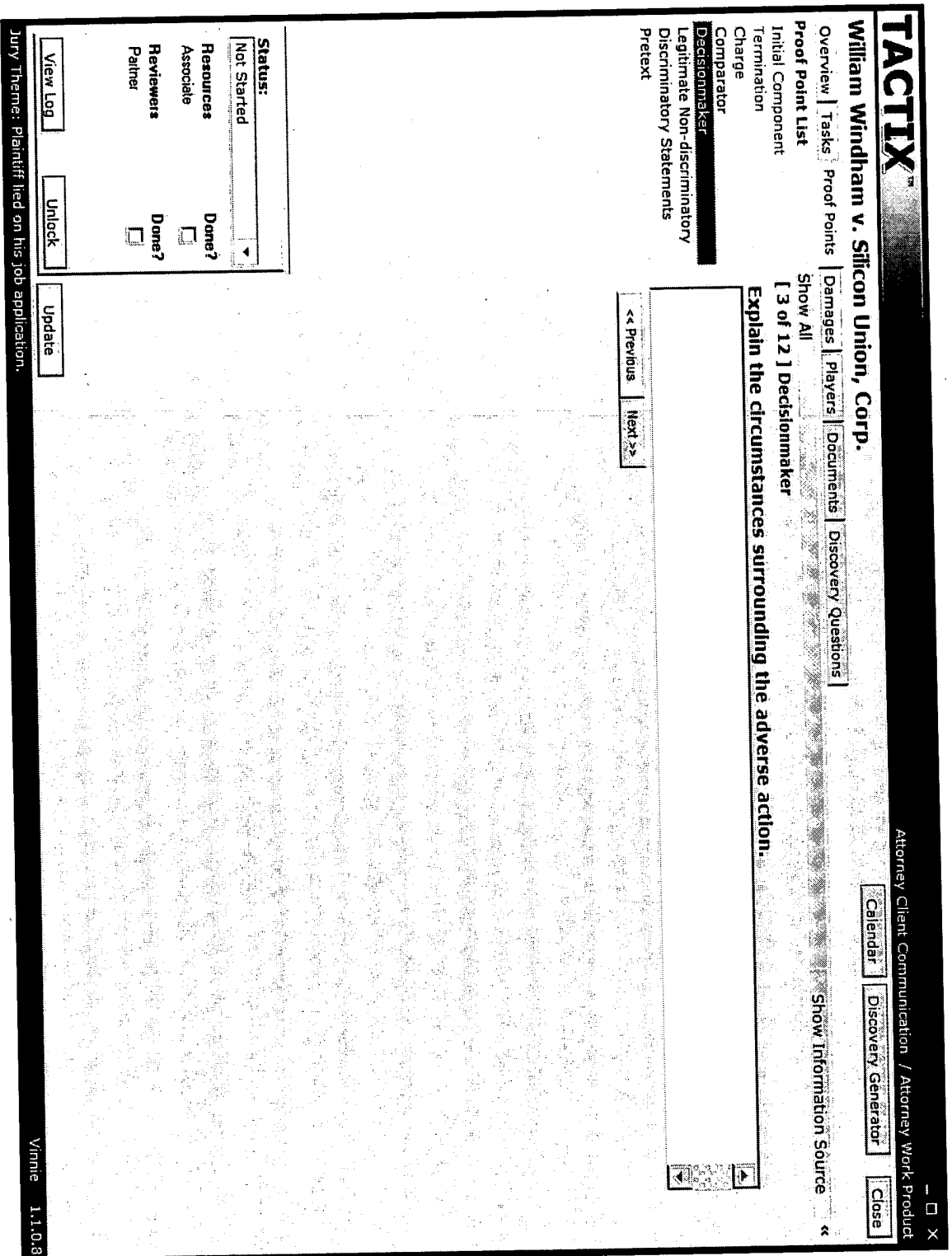


Fig. 65

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[4 of 12] Decisionmaker

Are the reasons for the adverse action documented?

☒ Yes ☐ No

Explain:

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 66

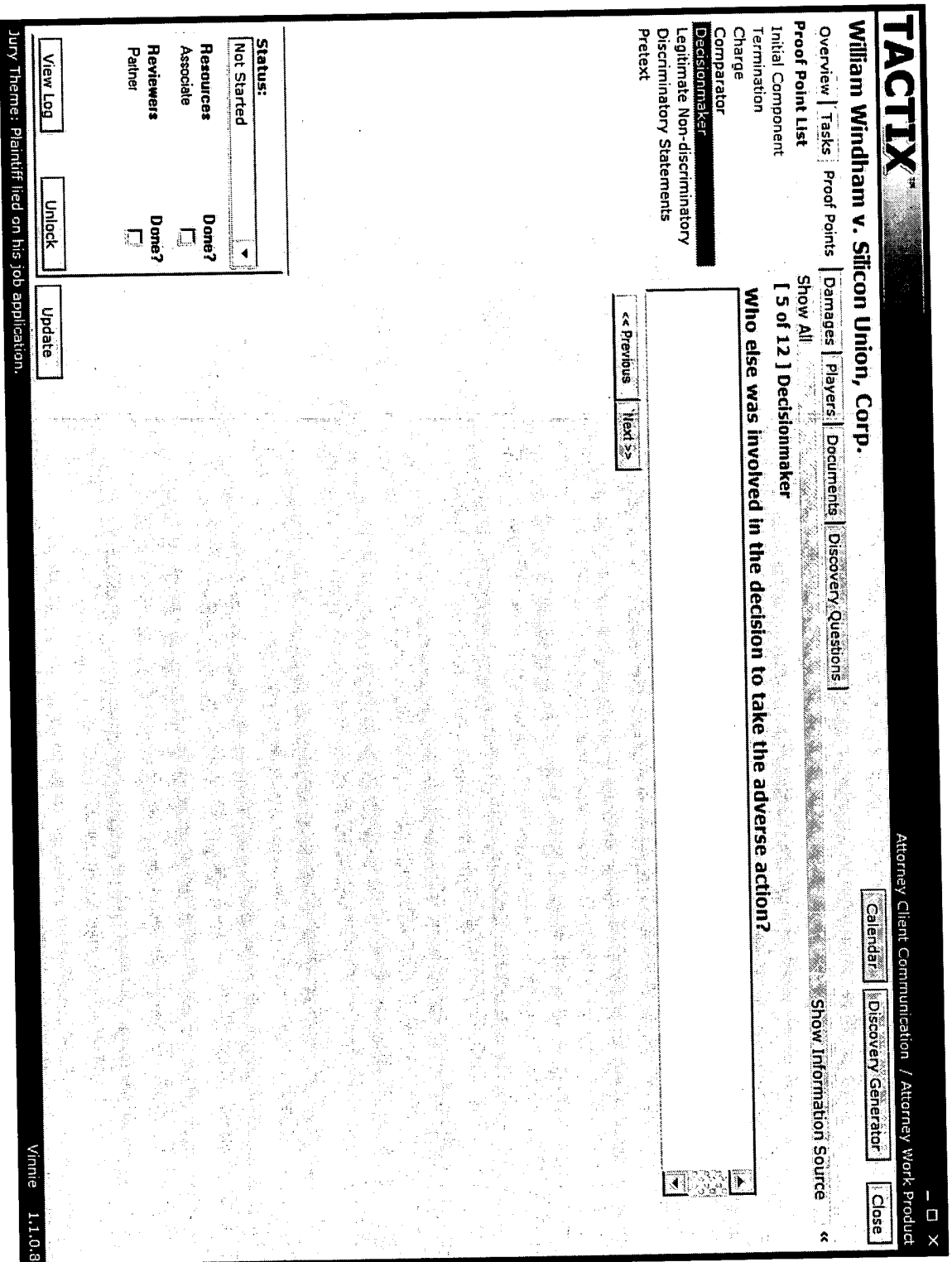


Fig. 67

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[6 of 12] Decisionmaker

Was anyone else involved in the decision?

☒ Yes ☐ No

Who:

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Vinnie 1.1.0.8

Jury Theme: Plaintiff lied on his job application.

Fig. 68

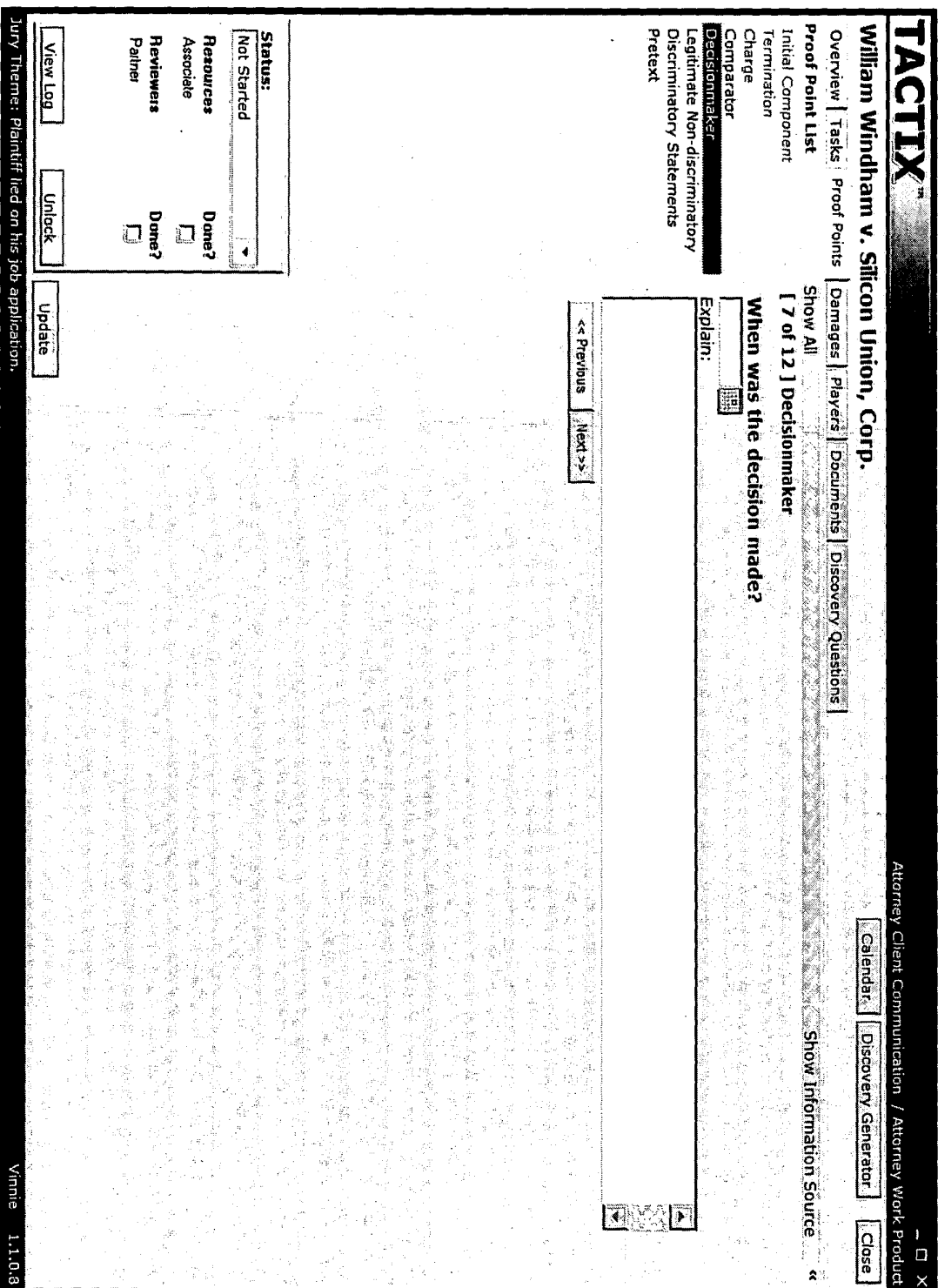


Fig. 69

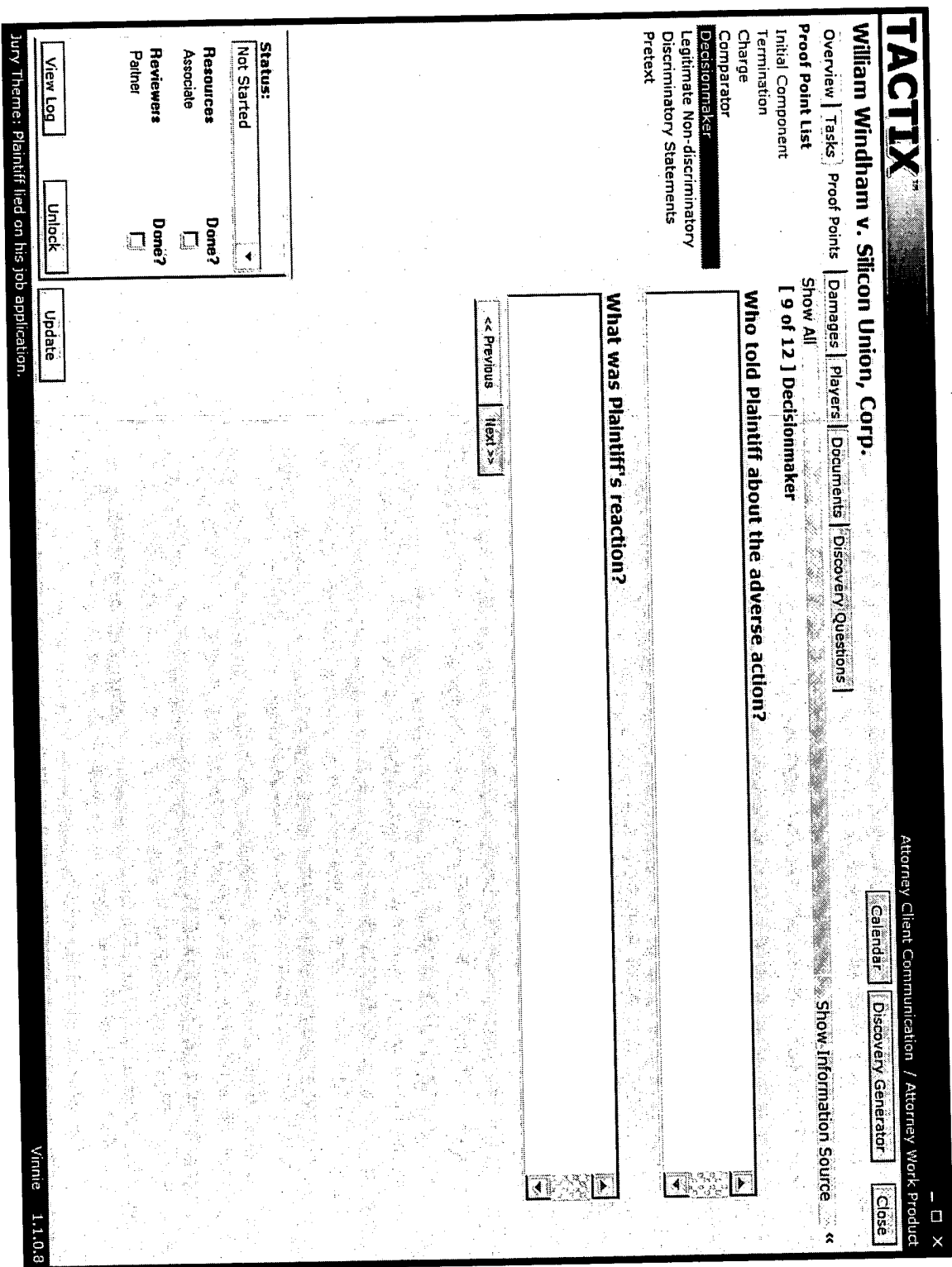


Fig. 71

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[10 of 12] Decisionmaker

Were any of the decisionmakers involved in the decision to hire or promote Plaintiff?

☒ Yes ☐ No

Explain:

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Status:

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Jury Theme: Plaintiff lied on his job application.

Winnie 1.1.0.8

Fig. 72

Have any of the decisionmakers been accused (formally or informally) of discrimination in the past?

☒ Yes ☐ No

Explain:

Explain:

«< Précédent

Status:

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Fig. 73

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[12 of 12] Decisionmaker

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Have any of the decisionmakers been accused (formally or informally) of unfair treatment in the past?

☒ Yes
 ☐ No

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Status:

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Jury Theme: Plaintiff lied on his job application.

Vinnio 1.1.0.8

Fig. 74

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[1 of 3] Legitimate Non-discriminatory reason

Based on the information collected to date, is there a basis for concern that the stated reason for the adverse action could be seen as discriminatory?

☐ Yes

☒ No

Explain:

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Status:

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.10.8

Fig. 75

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2 of 3 1 Legitimate Non-discriminatory reason

Have you uncovered any evidence that suggests other reasons for the adverse action?

☒ Yes

ON

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Jury Theme: Plaintiff lied on his job application.

Fig. 76

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[3 of 3] Legitimate Non-discriminatory reason

Based on the information collected to date, is there a basis for concern that this alternative reason could be seen as discriminatory?

- ☐ Yes
- ☐ No

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Jury Theme: Plaintiff lied on his job application.

Fig. 77

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[1 of 3] Discriminatory Statements

Does Plaintiff claim that any discriminatory statements were made before or after the termination?

☒ Yes

☐ No

List the discriminatory statements:

Who does Plaintiff claim made the discriminatory statements?

When does Plaintiff claim the discriminatory statements were made?

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In-House

Partner

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 78

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[2 of 3] Discriminatory Statements

Was the statement made during the same time period as the decision to terminate Plaintiff?

☐ Yes

☐ No

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 79

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[3 of 3] Discriminatory Statements

Is there any evidence to contradict plaintiff's claim of a discriminatory statement?

☒ Yes

☐ No

Outline the evidence to contradict plaintiff's claim of discriminatory statement:

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 80

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Pretext

Is there enough information to evaluate the strength of plaintiff's pretext argument?

☐ Yes

☒ No

Specify calendar date to re-evaluate plaintiff's pretext argument:

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Jury Theme: Plaintiff lied on his job application.

Vinnit 1.1.0.8

Fig. 81

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[2 of 3] Pretext

What is Plaintiff's pretext argument:

Explain:

Issue:

Rule:

Analysis:

Conclusion:

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Jury Theme: Plaintiff lied on his job application.

Yinnie 1.1.0.8

Fig. 82

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What are Defendant's arguments counter to Plaintiff's pretext argument:

Explain:

Issue:

Rule:

Analysis:

Conclusion:

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 83

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Job/Salary History

Benefits

Other Income / Mitigation

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Prior to Employment Change Information

Prior to the employment change, was the plaintiff classified as exempt or non-exempt?

☒ Exempt

☐ Non-exempt

Prior to the employment change, what was Plaintiff's job title and job level rating?

Quality Assurance Manager

Prior to the employment change, what was Plaintiff's salary? US\$

55,000

Analysis:

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 84

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Job Title

Salary

Reason for change

OK

Cancel

Date	Job Title	Job Description	Salary	Reason for change
06/03/2002	Quality Assurance Manager	University graduates in Engineering or Computer Science At least 3 years relevant experience in QA in SW eamp; HW and/or project management Set quality requirements eamp; standards to ensure highest branded product quality eamp; customer satisfaction Experience able to handle multiple tasks eamp; projects simultaneously Good communicator and team builder, result oriented and aggressive.	55,000	Assigned as interim manager while HR search for full time replacement takes place.
04/02/2001	Sr. QA Engineer	Set quality requirements & standards to ensure highest branded product quality & customer satisfaction Experience in product packaging & documentation	50,000	

Analysis:

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 86

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[1 of 2] Retirement Benefits

Does Plaintiff have retirement benefits?

☒ Yes
☐ No

Type of retirement benefits

	Employer	Employee	Total
<input checked="" type="checkbox"/> Defined Benefit Plan	20500	5500	26000
<input type="checkbox"/> Defined Asset Plan			0
<input type="checkbox"/> 401k			0
<input type="checkbox"/> Stock Purchase			0
<input type="checkbox"/> Other			0
Total Retirement Benefits	28000	13000	41000

[Calculate](#)

Did the employment change affect the level of the employer's participation in the retirement plan?

☒ Yes
☐ No

Explain

Termination disqualified matching 401k contributions by company.

[Previous](#) [Next](#)

Did the employment change cause Plaintiff to draw upon the retirement plan?

☐ Yes
☒ No

Explain

[Previous](#) [Next](#)

Status: In Progress

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Jury Theme: Plaintiff had on his job application.

Fig. 87

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☐ All ☐ Other 0

Total Retirement Benefits 28000 13000 41000

Did the employment change affect the level of the employer's participation in the retirement plan?

☒ Yes
☐ No

Explain
Termination disqualified matching 401k contributions by company-

Did the employment change cause Plaintiff to draw upon the retirement plan?

☐ Yes
☒ No

Explain

Has the Plaintiff elected to receive accelerated retirement payments?

☒ Yes
☐ No

Explain

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Jury Theme: Plaintiff lied on his job application.

Fig. 88

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Explain

Termination disqualified matching 401k contributions by company.

Did the employment change cause Plaintiff to draw upon the retirement plan?

☐ Yes

☒ No

Explain

Has the Plaintiff elected to receive accelerated retirement payments?

☒ Yes

☐ No

How much is Plaintiff receiving? (US\$):

How much would Plaintiff have received if he had not accelerated his pension payments? (US\$):

Explain

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Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 89

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[2 of 2] Benefits

If plaintiff would have been able to complete employment with the company until retirement at last job position, what would the monthly pension payment be?

US\$:

For life expectancy purposes, what is plaintiff's gender?

☒ Male

☐ Female

Other Benefits:

Type

Employer

Employee

Ok

Cancel

Type	Employer	Employee	Total	Vision Plan	Accidental Death	Dependent Care	Dependent Life	Flexible Spending Account
Health Insurance	Dental Insurance	Life Insurance	Stock Options					
Total				Calculate				

Check all that apply:

☐ Health Insurance

☐ Dental Insurance

☐ Life Insurance

☐ Stock Options

☐ Vision Plan

Status:

In Progress

Resources

Associate

Reviewers

Palmer

Done?

Done?

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 90

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Sificon Union, Corp.

Overview | Tasks | Proof Points

Damages | Players | Documents | Discovery Questions

Calendar | Discovery Generator | Close

Damages List

Prior to Employment Change

Job/Salary History

Benefits

Other Income / Mitigation

Unemployment

Social Security

Show All

Employer

Employee

OK

Cancel

Show Information Source

Type	Employer	Employee	Total	Vision Plan	Accidental Death	Dependent Care	Dependent Life	Dependent	Flexible Spending Account
Health Insurance									
Dental Insurance									
Life Insurance									
Stock Options									
Vision Plan									
Accidental Death									
Dependent Care									
Dependent Life									
Flexible Spending Account									
Other:									
Total									

Check all that apply:

☐ Health Insurance

☐ Dental Insurance

☐ Life Insurance

☐ Stock Options

☐ Vision Plan

☐ Accidental Death

☐ Dependent Care

☐ Dependent Life

☐ Flexible Spending Account

☐ Other:

Status:

In Progress

Resources

Associate

Reviewers

Partner

Done?

Done?

Done?

View Log

Unlink

Update

Analysis

<< Previous

Next >>

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 91

William Windham v. Silicon Union, Corp.

Overview | Tasks | Proof Points | Damages | Players | Documents | Discovery Questions |

Show Information Source

Damages List

Prior to Employment Change

Job/Salary History

Benefits

Other Income / Mitigation

Unemployment

Social Security

Show All

Other Income / Mitigation

Did Plaintiff receive any incentive to accept the employment change?

Please check all that apply:

☐ Severance Pay☐ Extra Training☐ Increased Salary☐ Other:

Describe Plaintiff's employment since the employment change.

Employer: When start: Title: duties: Supervisor: Salary: Benefits: Retirement plan/pension: Profit sharing: Insurance: Bonuses: Date of Separation:

Status:

Not Started

Resources

Associate

Reviewers

Palmer

Done?

☐

Done?

☐

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Fig. 92

Calendar
Discovery Generator
Close

« Show Information Source

Show All

[illegible][illegible]
$$f_{\alpha} = \frac{1}{2\pi} \int_{-\pi}^{\pi} f(\theta) e^{i\alpha\theta} d\theta, \quad \alpha = 0, 1, 2, \dots$$
[illegible][illegible][illegible]

$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

[illegible]

Ok Cancel

[illegible]

Figure 1

A schematic diagram illustrating the experimental setup for measuring the effect of temperature on the rate of reaction between hydrogen peroxide and potassium iodide. The setup includes a reaction flask containing the reactants, connected to a gas syringe or inverted graduated cylinder to measure the volume of oxygen gas produced over time.

<< Previous Next >>

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Yinnie 1.1.0.3

Fig. 93

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Silicon Union, Corp.

Calendar

Discovery Generator

Close

Overview

Tasks

Proof Points

Damages

Players

Documents

Discovery Questions

Show All

Show Information Source

Damages List

Prior to Employment Change

Job/Salary History

Benefits

Other Income / Mitigation

Unemployment

Social Security

Unemployment

Did Plaintiff apply for unemployment?

☒ Yes

☐ No

Explain:

Was unemployment granted?

☒ Yes

☐ No

Explain:

How much unemployment did Plaintiff receive?

US\$:

18000

Analysis

<< Previous

Next >>

Status:

Not Started

Resources

Associate

Reviewers

Partner

Done?

Done?

Done?

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 94

TACTIX™

Attorney Client Communication / Attorney Work Product

Calendar

Discovery Generator

Close

William Windham v. Silicon Union, Corp.

Overview

Tasks

Proof Points

Damages

Players

Documents

Discovery Questions

Show All

Show Information Source

Damages List

Prior to Employment Change

Job/Salary History

Benefits

Other Income / Mitigation

Unemployment

Social Security

Social Security

Did Plaintiff apply for social security?

☒ Yes

☐ No

Explain:

Was social security granted?

☐ Yes

☐ No

Explain:

Has Plaintiff received any other income since the employment change?

☒ Yes

☐ No

Analysis

Status:

Not Started

Resources

Associate

Reviewers

Partner

Done?

Done?

Done?

View Log

Unlock

Update

Jury Theme: Plaintiff lied on his job application.

Vinnie 1.1.0.8

Fig. 95

TACTIX™

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William Windham v. Silicon Union, Corp.

Overview | Tasks | Proof Points | Damages | Players | Documents | Discovery Questions

Name	Role	Primary Contact
Bartelli, Steve	In-House	No
Clemens, Jonathan	In-House	No
Cole, Edith	In-House	Yes
Dorn, Nicholas	In-House	No
Erwin, Blane	Case Administ...	No
Heaton, Ryan	Defendant	No
Heaton, Ryan	Comparator	No
Hyland, Yvonne	In-House	No
Miraglia, Vincent	Partner	No
Neill, Larry	Associate	No
Pendleton, Ralph	Defendant	No
Ricci, Howard	Partner	Yes
Schäfer, Madeline	Partner	No
Sutcliffe, Charles	Defendant	No
Tavarez, Teresa	Paralegal	No
Windham, William	Plaintiff	No

Contact Information:

Miraglia, Vincent, Partner
 Mavery Wilson, LLP
 Office: (925) 277-3584
 Work: vmiraglia@mwillp.com
 • 2897 Portelli Road
 • San Ramon, CA-94583

Search:

Edit New Delete

Vinme 1.1.0.8

Jury Theme: Plaintiff lied on his job application.

Fig. 96

Attorney Client Communication / Attorney Work Product

Calendar Discovery Generator Close

Close

Player: _____

Player: _____

Role: _____

Paralegal

☐ Disp Associate

Schafer, Madeline, Attorney

Mavery Wilson, LLP

Office: (925) 277-3535

Work: mschafer@mwillp.com

1000

- ◆ 209 / Poirrelli Kruak
- ◆ San Ramon, CA-94583

Edit **New** **Delete**

Vinnie 1.1.0.8

Inbox - Microsoft Outlook

Microsoft Word

Google - Microsoft Inter...

Microsoft PowerPoint

Tactix - William Win.

[illegible]

Fig. 97

TACTIX™

Attorney Client Communication / Attorney Work Product

William Windham v. Silicon Union, Corp.

Calendar

Discovery Generator

Close

Overview | Tasks | Proof Points | Damages | Players | Documents | Discovery Questions

Name	Created By	Created Date
Comperator Worksheet.doc	Erwin, Blane	08/21/2003
FOIA Request	Erwin, Blane	08/14/2003
Test Document	Erwin, Blane	05/22/2003

Search:

Open Document

Edit

New

Delete

Vinnie 1.1.0.8

Jury Theme: Plaintiff lied on his job application.

Fig. 98

TACTIX™

Attorney Client Communication / Attorney Work Product

Calendar

Discovery Generator

Close

William Windham v. Silicon Union, Corp.

Overview

Tasks

Proof Points

Damages

Players

Documents

Discovery Questions

Category	Whom	Question
Agency Requests	Unemployment	Get transcript
Agency Requests	Unemployment Comp ...	Obtain job search records
Attorney Notes	HR Manager	What were the consequences of the conduct?
Attorney Notes	Lexis	Obtain research in California
Attorney Notes	Plaintiff's doctors	Obtain medical records
Client Requests	HR Manager	Obtain all written reports related to the filling out of the job application
Client Requests	HR Manager	What are the races of the QA staff at the SW unit site?
Deposition Questions	Plaintiff	Did you know that a college degree was a job requirement when you indica...
Deposition Questions	Plaintiff's Supervisor	Did you ever overhear Plaintiff discuss his educational background?
Interrogatories	Hospital	Ask about emotional issues over treatment
Requests for Production	Plaintiff	Please produce all W-2's
Witness Questions	HR Manager	Has anyone ever been terminated for lying on their job application?
Witness Questions	Plaintiff's Supervisor	Did plaintiff act concerned when you asked him to clarify his college educati...

Generate:

Interrogatories

Deposition Questions

Witness Questions

Agency Requests

Requests for Production

Requests for Admissions

Client Requests

Attorney Notes

Generate Report

Search:

Edit

New

Delete

Jury Theme: Plaintiff lied on his job application.

Version 1.1.0.8

Fig. 99

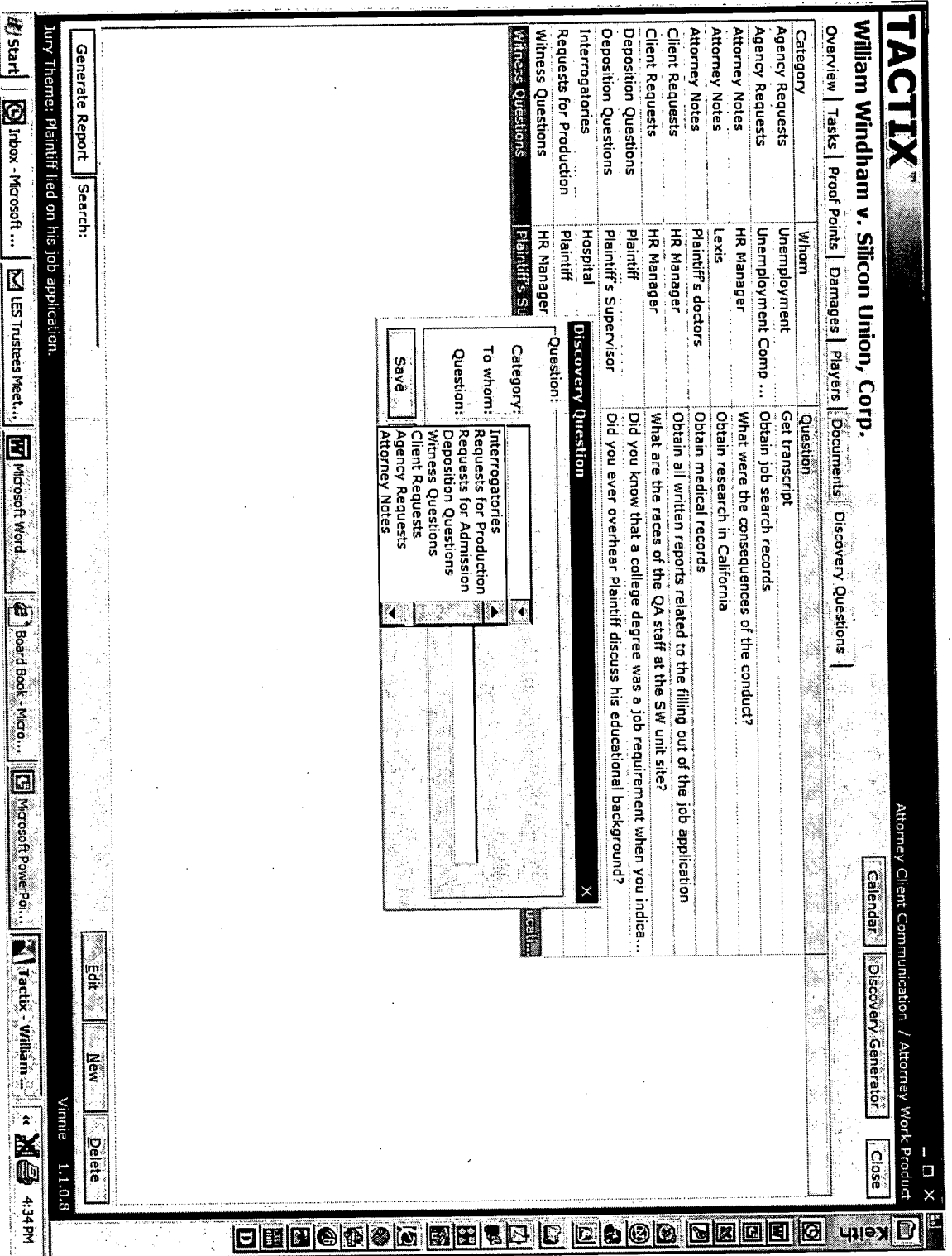


Fig. 100